

Political Corruption Review of Infractions for Misconduct by Executive Servants Act

Political CRIMES Act

Section-by-Section Summary

Section 1: Short Title – “Political Corruption Review of Infractions for Misconduct by Executive Servants Act” or “Political CRIMES Act”

Section 2: Independent Counsel on Pernicious Political Activities

Modeled off the Independent Counsel (IC) statutes, this section creates an IC responsible for investigating any potential violations of the Hatch Act during the previous administrations (January 20, 2009 and January 21, 2021). This section gives the IC the authority to investigate the President, Vice President, the Executive Office of the President, and other senior officials across the executive branch. This section also requires the IC to submit expenditure reports to the courts and substantive activity reports to Congress.

Section 3: Inspector General for the Office of the Special Counsel

This section creates an Inspector General (IG) for the Office of the Special Counsel to ensure the office is conducting robust investigations within the boundaries of current law.

Section 4: Strengthening the Hatch Act

By taking allegations of Hatch Act violations directly to the Merit System Protection Board, this section streamlines the accountability process to remove any political interference in the process. This section also requires a disclosure if a political employee is under investigation for a potential violation of the Hatch Act. This section clarifies that the Hatch Act cannot be used to prohibit Members of Congress from visiting federal facilities for an official purpose. This section expands the definition of covered individuals under the Hatch Act to include the President and Vice President while they are on federal property and eliminates the current exception for political appointees and Senate confirmed positions. This section clarifies the definition of federal property under the Hatch Act to include any vehicle, building, or land owned or leased by the Federal Government, including the White House and White House grounds, Executive Residence, and the Rose Garden. This section adds a criminal penalty for violations of the Hatch Act to fine individuals \$5,000 or up to 5 years of imprisonment. The fine shall be double every subsequent violation.

Section 5: GAO Review of Reimbursable Political Events

This section requests GAO to submit a report to Congress on reimbursable political events held at the White House or on the White House grounds since January 1, 1997. This report shall review whether the requirements in annual appropriations acts regarding reimbursable political events have been followed and make recommendations to Congress about such requirements.